

# Career learning for the 21st century

CPD series



**LSIS** LEARNING  
AND SKILLS  
IMPROVEMENT  
SERVICE

Module 3:

**Introduction to  
values and ethics in  
career development**

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## Download

This CPD module is available to download in PDF format from the Excellence Gateway Career Development section.

## Publisher

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# Introduction to values and ethics in career development workshop 1

## Tutor notes

### Workshop outline

This workshop has been designed to stimulate those involved in supporting learners with their career development tutors to reflect on the importance of ethics and values, particularly in relation to their own work.

This module can be delivered by anyone who is an experienced or qualified training professional if they take the time to familiarise themselves with the materials including the web links, handouts and references. It would, however, be an advantage if the trainer had experience and/or training in career development, as it would enable wider and deeper exploration of the topics covered.

The materials can be delivered as they stand, contextualised or modified to suit the time available and the needs of the participants or organisation. The PowerPoint™ slides and handouts are available as separate files.

Optional extension activities are included in a separate follow-on workshop.

This workshop is the third in a series of CPD workshops produced by LSIS and available to download from the LSIS Excellence Gateway. There are 10 others in the series:

- Introduction to career development
- Introduction to interviewing skills
- Introduction to delivering career development through group work
- Introduction to evaluating and measuring impact in career development
- Introduction to reaching potential by raising aspirations
- Introduction to developing employability skills
- Introduction to career development for those with additional support needs
- Learning and earning: understanding the options for your learners
- An introduction to career development for STEM learners
- Introduction to the Blueprint for Careers.

This series of workshops is supported by a one-day “Train the trainer” programme aimed at those who have responsibility for staff development, continuing professional development or for developing a team’s or department’s skills and knowledge in career development. The programme introduces all the workshops: their aims, objectives, exercises and content while exploring how to tailor the content to specific contexts. If you are interested in gaining further information about this programme, please contact [ann.ruthven@lsis.org.uk](mailto:ann.ruthven@lsis.org.uk).

LSIS has also developed an online resource, “Career learning for all”, available free of charge on the LSIS virtual learning environment: just go to [www.leadershiplearning.org.uk](http://www.leadershiplearning.org.uk) and create your own login. This has been designed for those involved in supporting learners with their career development, both specialists and non-specialists.

## Workshop aim and objectives

The **aim** of the workshop is to develop understanding of the need to consider values and ethics in the delivery of career development.

The **objectives** of the workshop are to enable participants to:

- Define values and ethics
- State their expectations of providers of development
- List the core values within career development practice
- Compare and contrast ethical statements and codes of practice from different professional bodies.

## Example workshop timetable

| Time  | Session   |
|-------|---|
| 09.30 | Welcome, domestics, introduction, aims and objectives |
| 09.35 | Introductory exercise                                 |
| 09.40 | Definitions and importance of values                  |
| 09.55 | Personal values exercise                              |
| 10.20 | Ethical principles and core values                    |
| 11.00 | Refreshment break                                     |
| 11.20 | Resume core values                                    |
| 11.25 | Action exercise                                       |
| 11.50 | Ethics  |
| 12.15 | Summary   |
| 12.30 | Conclusion  |

## Checklist of resources required

- Fire evacuation procedures.
- PowerPoint™ slides 1 to 17.
- Flip chart and marker pens, or whiteboard.
- Screen.
- LCD projector.
- Laptop.
- Post-it™ notes.
- A4 paper.
- Coloured pens.
- Copies of scenarios handout, three PDF files of ethical codes and your own organisation's ethical code, if there is one.
- Evaluation form: LSIS workshop – trainer's feedback (see page 24).
- Evaluation form: LSIS workshop – attendee's feedback (see page 25).

Slides and notes



## Introduction to values and ethics in career development

Presented by

Date

“A man without ethics is a wild beast loosed upon this world.”  
Albert Camus

### Slide 1

Customise this visual to show your name and the date of the workshop.

Introduce the topic, yourself as presenter and welcome the group. Talk through domestics i.e. timings, breaks, toilets and fire evacuation procedures.

**Resources:** Fire evacuation procedures.

**Timing:** 2 minutes

**Transition statement:** Let's look at what we will be covering today.

**Your notes:**

## Aims and objectives



### Aim

To develop understanding of the need to consider values and ethics in the delivery of career development.

### Objectives

By the end of the session participants will be able to:

- Define values and ethics
- State their expectations of providers of career development
- List the core values within career development practice
- Compare and contrast ethics and codes of practice from different professional bodies .

## Slide 2

Talk through the aims and objectives for the session and ask if there are any questions.

### Resources:

**Timing:** 3 minutes

**Transition statement:** We will start by getting together to find out what we think about values and ethics.

### Your notes:

## Introductions – expectations



Work in pairs – try to work with someone you do not know well.

Introduce yourselves to each other: name and job role.

Be prepared to introduce your partner to the group.

You have two minutes for this discussion.

### Slide 3

Introduce the exercise by saying that as this is a workshop on values and ethics, there will be sessions where you are asked to share your beliefs and views. It therefore seems appropriate to start by getting to know each other's names.

Go round the whole group, asking them to introduce each other. Comment on the similarities and differences of the roles represented in the group.

**Resources:** Flip chart and marker pens, or whiteboard.

**Timing:** 5 minutes.

**Transition statement:** We'll now look at how we might define values and ethics.

**Your notes:**



## Definitions



**Values** are a person's beliefs about what is good and desirable in life. They are long-term guides for a person's choices and experiences.

Arnold (2005)

**Values**, what people prize, are picked up or inculcated along the path of life.

Egan (2007)

### **Ethics**

The science of human duty; the body of rules of duty drawn from this science; a particular system of principles and rules concerning duty, whether true or false; rules of practice in respect to a single class of human actions; as, political or social ethics; medical ethics. [www.brainyquote.com/words/et/ethics161764.html](http://www.brainyquote.com/words/et/ethics161764.html)

### Slide 4

Say that these definitions are representative of common definitions of values and ethics. Ask if these are related to their concepts of values and ethics.

**Resources:**

**Timing:** 5 minutes

**Transition statement:** So why is it important to consider values?

**Your notes:**

## Why consider values?



Values are drivers of behaviour and are used in making decisions in everyday life.

“Helpers without a set of working values are adrift.”

“In the final analysis, as you sit with your clients, only those beliefs, values and norms that you have made your own will make a difference in your helping behavior.”

Egan (2007)

### Slide 5

Ask the group why they think values are important for those helping and supporting learners.

Show slide 5 and say that Gerard Egan developed a problem management model of helping in 1975 and has been constantly in print ever since. The model is used extensively in guidance and is based on the client considering “Where am I now?” “Where do I want to be?” and “How am I going to get there?”

Ask the learners why they think a helper’s values ‘make a difference’ with clients. Answers tend to be: motivation to treat people fairly, not abuse power, client’s best interest at heart, persist with difficult clients as want to support them, respect diversity, not manipulate or take advantage etc.

**Resources:**

**Timing:** 10 minutes

**Transition statement:** Now we’ll have an exercise to look at your own values.

**Your notes:**

## Your values



Take a piece of A4 paper and a number of Post-it™ notes.  
Reflect on your values. Write your values on the Post-it™ notes – one value per note.

Put these values in order of priority of importance on the A4 sheet.

You have 5 minutes for this part of the exercise.

Look at your organisation's code of ethics or value statements.

Find a partner. You have to take it in turns to interview each other about your values and the impact they have on your behaviour with learners and how they relate to the Code of ethics.

You have 15 minutes for this exercise.

### Slide 6

Tell the group that you are now going to focus on their values and the impact that has on their work. Show slide 6 and talk through what is required. Explain that you need them to think through their values first and to think of what is really important to them – if necessary, go back to the definitions of values. Ask them then to interview each other, enabling the other person to articulate their values and how these relate to their ethical code.

Identify whether the organisations concerned have codes of ethics. If not, discuss with the group the implications: everyone works on their own values; different groups develop their own norms; no cohesion across the organisation; different service given to different learners; no guidelines to act as a standard for best service etc.

Ask for general feedback about the exercise and the process – e.g. was it easy to think of your values?

**Resources:** Sheets of A4 blank paper – one per person – and a number of small Post-it™ notes. Your own organisation's ethical codes of practice or value statements if the group comes from one organisation.

**Timing:** 5 minutes for reflection, 15 minutes for interviewing and 5 minutes for feedback.

**Transition statement:** There are occasions when ethical values may conflict with other considerations. We'll have a short exercise to identify when this may be an issue.

**Your notes:**

## Ethical principles



- Confidentiality
- Impartiality.

Split into two groups, one group to consider confidentiality and the other impartiality.

Identify the instances when the principle your group is considering could be an issue. Be prepared to feed back your findings to the other group.

### Slide 7

Put up slide 7 and say that these two ethical principles are the most common tenets of career development and other caring and support professions. Say that the danger is that these principles are so common that people may not give them the attention and focus they deserve. Say that they are not always easy to abide by in educational settings, when other pressures have to be considered e.g. minimum programme sizes, retention figures, safeguarding learners, wanting to help learners and solve problems etc. Ask the group why these two ethical principles are so important. Answers should include: building trust; showing respect; creating rapport; focusing on learner and their lives; client-centred; meeting client needs; providing a safe environment etc. Ask the group to split into two, allocate one topic to each and ask them to think through all their activities while undertaking the exercise. Ask a representative from each group to feed back the findings. Prepare a flip chart or whiteboard with the following headings: 'Why needed?', 'Benefits?' and 'Risks?'. Finish by saying that, within career development, we must be seen to be adhering to these principles and being open and honest about when we cannot abide by them. Draw participants' attention to the need for contracting about the levels of confidentiality that they can honestly maintain.

**Resources:** Flip chart and pens, or whiteboard.

**Timing:** 5 minutes discussion in groups and 5 minutes class discussion.

**Transition statement:** Now let's look at how your values compare to core values identified by theorists.

**Your notes:**

## Five major values



- Respect
- Empathy
- Genuineness
- Client empowerment
- Outcome-focused.

Egan (2007)

- Unconditional positive regard
- Empathetic understanding
- Congruence.

Rogers (1967)

### Slide 8

Introduce slide 8, saying that Egan, along with a number of other theorists, feels that there are major core values required within the helping and support professions. Talk through the five: respect, empathy, genuineness, client empowerment and outcome-focused. Point out that there is some debate about whether *empathy* is a value, personality trait, disposition, aptitude, skill or a process. Say that recently this characteristic has had a lot of attention: Covey (1989) and endless reprints, sees it as one of his “seven habits of highly effective people”. Daniel Goleman, (1998) puts empathy at the heart of emotional intelligence – now seen as a necessary leadership and management trait.

Outcome-focused means that there should be a bias towards taking action rather than focusing on the past and problem situations. State that again there is dispute over whether this is a true value or a technique.

Rogers’ view on setting a positive client relationship involved the three conditions listed on the second column of slide 8. Ask participants to compare these five values to their own and whether they agree these values should be part of their makeup.


#### Resources:

**Timing:** 10 minutes

**Transition statement:** We will cover each of these in turn, in a little more detail.

#### Your notes:

# Respect



**Foundation value:**

- Listen attentively
- Do no harm and be “for” the learner
- Being competent and committed
- Assume learner goodwill
- Suspend judgement
- Focus on learner’s agenda.

## Slide 9

Say that you are going to go through each of these values in turn as they are seen as so important for career development.

Show slide 9. Ask the group to read the slide and ask if there is anything they want to discuss further.

Ask participants to discuss with their neighbour when they find this value difficult to maintain. Common responses are: when a learner’s behaviour challenges their core values, when they are tired and a learner behaves immaturely, when a learner’s behaviour causes harm to others etc.

Ask the participants for issues raised and for ways of coping in these circumstances, e.g. not responding immediately, walking away and controlling emotion, seeing issue from learner’s perspective, referring learner to a counsellor or another colleague.

**Resources:**

**Timing:** 10 minutes

**Transition statement:** The next value is empathy.

**Your notes:**

## Empathy



### Primary value:

- Drives all helping behaviour
- Commitment to understand student as fully as possible
  - From learner point of view
  - Through the context of their lives.

### Slide 10

Talk through how easy or difficult it is to put yourself in another's shoes. Most groups bring up that it is easier to empathise with people like themselves.

Discuss the need to get to know learners well, to aid empathy. Ask the group to tell you how people know when you are not empathising. Normal responses include: eyes, expression on face, lack of congruence between what being said and non-verbal cues and reactions.

These comments then lead naturally into slide 11, 'genuineness'.

### Resources:

**Timing:** 5 minutes.

**Transition statement:** The points you just identified lead us nicely on to genuineness.

### Your notes:

## Genuineness



- Congruence
  - Know yourself and be at ease with yourself
- Do not overemphasize the helping role
  - Not patronising or condescending
- Avoid defensiveness
- Reveal true motivations
- Spontaneously and freely communicate rather than use habitual, planned strategies
- Strive for interdependence not dependence.

Adapted Gibb (1978) in Egan (2007)

### Slide 11

Compare the points shown on the slide with those raised when you discussed empathy. Highlight those not covered previously and ask for questions.

Remind participants about body language and how real feelings can show through if the front is not genuine.

There can be a tendency in some people involved in support roles to look to have their ego massaged and want to be told how helpful they are being. People should judge whether they are being genuinely helpful or are telling the client they are so they get some warm feedback. Excellent guidance is given in such a way that the clients think that they have done it all themselves.

Supportive interactions need to be planned and have a purpose, but they should also have a flow and not be seen as being simply formulaic.

#### Resources:

**Timing:** 5 minutes

**Transition statement:** At this point we'll have a break before looking at the other values. Can we resume in 20 minutes please?

#### Your notes:



## Client empowerment



Help learners discover, develop and use untapped power within themselves:

- Learners can change if they chose
- Share helping process with learner
- Focus on learning instead of helping
- Create a context of constructive change and development
- Independent learners and researchers.

Adapted from Farrelly and Brandsma (1974) in Egan (2007)

### Slide 12

Welcome people back and say that you are now moving on to the value 'empowerment'.

Show slide 12 and say out of 60 learners questioned about the way they were treated, 50 said they were treated as children and constantly told what to do – some admitted they probably encouraged this outcome.

Ask why it is so important for career development. Responses should include: it is their life, their career and they are becoming adults, so are expected to take responsibility for their actions and life.

Ask the group to say why this value is so difficult for lecturers, tutors and assessors. Normally this includes: feel parental, care for outcomes, do not want them to make mistakes, get hurt etc. Ask how this value could be promoted: being self-aware, continually monitoring, starting programmes on this footing etc.

**Resources:**

**Timing:** 5 minutes.

**Transition statement:** That brings us to the last core value – outcome-focused.

**Your notes:**

## Outcome-focused



- Proactivity not reactivity
- Planning and aspiring not problem-solving
- Initiating rather than following.

Requires a real-life focus and a focus on what can be done to enable this learner to act on own behalf intelligently and thoughtfully.

### Slide 13

Say that if career development is going to have any effect, it needs to meet needs and prompt learners to take action for themselves. Action needs to be focused on the desired outcomes.

Some practitioners would view this as a technique, but others view it as a deeply held value.

Ask if there are any questions.

**Resources:**

**Timing:** 5 minutes.

**Transition statement:** We can take some action ourselves now.

**Your notes:**

## What do you do?



Work in groups of four.

Discuss what actions should be taken by the tutors or advisers in the given scenarios.

List the values involved.

You will be asked to present your findings to the rest of the group.

You have 10 minutes for this exercise.

### Slide 14

Show slide 14 and ask people to get into groups of four. Ask each group to present their ideas to the other groups.

When summarising, emphasise the need to consider equality of access and opportunity, confidentiality, impartiality, respect, genuineness and empathy.

**Resources:** Handout 1 – scenarios.

**Timing:** 10 minutes for the exercise and 10 minutes for feedback and presenting findings.

**Transition statement:** We will now move on to looking at ethics.

**Your notes:**

## Ethics



- Well-based standards of right and wrong that prescribe what ought to be done, based on society's or group's values
- Standards relating to rights.

### Exercise

Work in groups of six. Look at copies of ethical frameworks and codes of ethics.

Discuss:

- Similarities and differences.
- How do your organisation's ethical codes compare?
- Which ones impact on your practice?

You have 15 minutes for exercise. Present your findings to the whole group.

## Slide 15

Ethics are based on values of society, groups, organisations etc. Refer participants back to the earlier discussion relating their own values to the college or organisation's ethics.

Talk them through the exercise and give out the Codes of Ethics and Ethical Frameworks.

Ask each group to present findings – ask if anyone has questions after each presentation.

Summarise by stating that codes of ethics are only of any value if people abide by them. People need to believe in what is written and act them out. Link back to the values on slide 8 and say all the codes have these values at their core.

**Resources:** Copies of BACP Ethical Framework; ICG Code of Ethical Practice; NAEGA Principles of Ethical Practice plus your own organisation's code of ethics, if there is one. These documents are available from the internet if you do not have copies provided.

**Timing:** 15 minutes for discussion and 10 minutes for presentations.

**Transition statement:** That brings us to the end of the formal teaching and exercises. Let's remind ourselves what we have covered today.

**Your notes:**

## Summary



1. What are values, ethics?
2. Why focus on values and ethics in career development?
3. What are the five core values in career development?
4. What are the similarities across the given codes of ethics?
5. What have you learned from this session?

Thank you for attending; please complete an evaluation form.

### Slide 16

Tell the group that you are now going to review the learning and check that objectives have been met.

Show slide 15 and go through the questions – refer back to the relevant slides if required.

Ask what they will now do – how will they ensure the values and ethics are constantly put into practice?

Ask if there are any questions or issues and hand out evaluation forms.

**Resources:** Evaluation forms.

**Timing:** 10 minutes discussion and 5 minutes to complete forms.

**Transition statement:** I have included a list of the references used in this session so you can do further reading on ethics and values.

**Your notes:**

## References



Arnold, J, Silvester, J, Patterson, F, Cooper, C and Burnes, B (2005) *Work Psychology*, England: Pearson Education Ltd.

Egan, G (2007) 8th ed. *The Skilled Helper*, Belmont, CA: Thomson Brooks/Cole.

### Slide 17

Thank the group for their participation.

**Resources:**

**Timing:**

**Transition statement:**

**Your notes:**

## Handout 1 – Scenarios

1. You have been contacted by an employer offering six weeks' work for one of your learners in a kitchen design establishment. They want "someone who can charm clients, talk the Queen's English and lift marble worktops – no fairies please!"
2. A learner has divulged that they are being physically abused by their partner who they love dearly. They want you to know, care and understand but not tell anyone else.
3. A really bright, talented learner who has been offered a place on the college foundation degree now wants to "chuck it all in and work at Tesco."
4. A learner wants to apply for an expensive course that you have heard, through staffroom gossip, is "rubbish", "a waste of money" and "has a high drop-out rate."
5. You have been asked to support a learner who you find threatening and who causes constant disruption in your classroom sessions.
6. You are attending the last open evening of the year and a prospective learner asks if they would be considered for your course. The individual has not got the required predicted grades and admits to finding English difficult. Although the individual is extremely keen, you know from past experience that people without good grades in English struggle to pass the eight core assignments. At present you have 10 learners signed up for the programme and you need 12 for the programme to run in two weeks' time.

## LSIS workshop – trainer’s feedback



Please use this form to feedback how useful you found the training materials provided. This is not to measure the success or otherwise of your workshop, but to help us improve the quality of the materials provided.

|  |                   |
|--|-------------------|
| Name of workshop: Introduction to values and ethics in career development workshop 1 | Date of workshop: |
|--|-------------------|

Using a rating of 1 = very good to 7 = very poor, please answer the following questions:

|   | Rating |
|---|--------|
| Overall how happy were you with the materials?                |        |
| How well did you think the course met its aim and objectives? |        |
| How well did the course meets its aim and objectives?         |        |
| How would you rate the handouts?                              |        |
| How would you rate the PowerPoint™ presentation?              |        |
| How would you rate the exercises?                             |        |
| How would you rate the trainer’s background information?      |        |

|  |
|--|
| Which parts did you find most useful?                      |
|  |
|  |
| Which parts did you find the least useful?                 |
|  |
|  |
| What do you think could be done to improve the materials?  |
|  |
|  |
| Please comment on the suitability of the timings provided. |
|  |
|  |
| Any other comments?  |
|  |
|  |
|  |



## LSIS workshop – attendee’s feedback



|  |                   |
|--|-------------------|
| Name of workshop: Introduction to values and ethics in career development workshop 1 | Date of workshop: |
|--|-------------------|

Using a rating of 1 = very good to 7 = very poor, please answer the following questions:

|  |  |
|--|--|
| Overall how useful did you find the course?  |  |
| How would you rate the materials provided?   |  |
| How would you rate the trainer?              |  |
| How useful were the exercises?               |  |
| How would you rate the pace of the course?   |  |
| How would you rate the length of the course? |  |

|  |
|--|
| Which parts did you find most useful?                    |
|  |
|  |
|  |
| Which parts did you find the least useful?               |
|  |
|  |
|  |
| What do you think could be done to improve the workshop? |
|  |
|  |
|  |
| Any other comments?                                      |
|  |
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|  |

# Introduction to values and ethics in career development workshop 2

## Tutor notes

### Workshop outline

This workshop has been designed as an extension to the module, *Introduction to ethics and values in career development*. It can be delivered as the afternoon session, if you have a whole day available, or, as with the first workshop, you can select certain activities or PowerPoint™ slides to use when required. The purpose of this set of activities is to get participants thinking about the importance of ethics and values, particularly in relation to their own work.

This module can be delivered by anyone who is an experienced or qualified training professional if they take the time to familiarise themselves with the materials including the web links, handouts and references. It would, however, be an advantage if the trainer had experience and/or training in career development, as it would enable wider and deeper exploration of the topics covered.

The materials can be delivered as they stand, contextualised or modified to suit the time available and the needs of the participants or organisation. The PowerPoint™ slides and handouts are available as separate files.

Optional extension activities are included in a separate follow-on workshop.

This workshop is the third in a series of CPD workshops produced by LSIS and available to download from the LSIS Excellence Gateway. There are 10 others in the series:

- Introduction to career development
- Introduction to interviewing skills
- Introduction to delivering career development through group work
- Introduction to evaluating and measuring impact in career development
- Introduction to reaching potential by raising aspirations
- Introduction to developing employability skills
- Introduction to career development for those with additional support needs
- Learning and earning: understanding the options for your learners
- An introduction to career development for STEM learners
- Introduction to the Blueprint for Careers.

This series of workshops is supported by a one-day “Train the trainer” programme aimed at those who have responsibility for staff development, continuing professional development or for developing a team’s or department’s skills and knowledge in career development. The programme introduces all the workshops: their aims, objectives, exercises and content while exploring how to tailor the content to specific contexts. If you are interested in gaining further information about this programme, please contact [ann.ruthven@lsis.org.uk](mailto:ann.ruthven@lsis.org.uk).

LSIS has also developed an online resource, “Career learning for all”, available free of charge on the LSIS virtual learning environment: just go to [www.leadershiplearning.org.uk](http://www.leadershiplearning.org.uk) and create your own login. This has been designed for those involved in supporting learners with their career development, both specialists and non-specialists.

## Workshop aim and objectives

The **aim** of the workshop is to develop understanding of ethics as they relate to working life.

The **objectives** of the workshop are to enable participants to:

- State how ICG ethical principles relate to their job role
- Discuss difficulties or issues with certain ethical principles and how they could be alleviated
- Participate in action learning sets focusing on ethical dilemmas.

## Example workshop timetable

| Time  | Session  |
|-------|--|
| 13.30 | Welcome, domestics, aims and objectives                      |
| 13.35 | ICG Code of Ethical Principles and relating to own situation |
| 14.00 | Ethical challenges   |
| 14.30 | Ethical training and ethics checks                           |
| 14.40 | Introduction to action learning sets                         |
| 14.55 | Refreshment break  |
| 15.15 | Action learning sets   |
| 16.15 | Feedback   |
| 16.20 | Summary  |
| 16.30 | Conclusion   |

## Checklist of resources required

- Fire evacuation procedures.
- PowerPoint™ slides 1 to 11.
- Flip chart and marker pens, or whiteboard.
- Screen.
- LCD projector.
- Laptop.
- Copies of ICG Code of Ethical Principles (see Appendices).
- Space for groups of four to work confidentially.
- Evaluation form: LSIS workshop – trainer’s feedback (see page 41).
- Evaluation form: LSIS workshop – attendee’s feedback (see page 42).

Slides and notes



## Introduction to values and ethics in career development 2

Presented by

Date

“Ethics, too, are nothing but reverence for life. This is what gives me the fundamental principle of morality, namely, that good consists in maintaining, promoting, and enhancing life, and that destroying, injuring, and limiting life are evil.”

Albert Schweitzer: *Civilization and Ethics*, 1949

### Slide 1

Customise this visual to show your name and the date of the workshop.

Welcome, introduction and domestics i.e. timings, breaks, toilets and fire evacuation procedures if not previously covered.

Explain that this is an extension session to Introduction to values and ethics in career development workshop.

**Resources:** Fire evacuation procedures, if applicable.

**Timing:** 2 minutes

**Transition statement:** Let’s look at today’s objectives.

**Your notes:**

## Aim and objectives



### Aim

To develop understanding of ethics as they relate to working life.

### Objectives

By the end of the session learners will be able to:

- State how ICG ethical principles relate to their job role
- Discuss difficulties or issues with certain ethical principles and how they could be alleviated
- Participate in action learning sets focusing on ethical dilemmas.

## Slide 2

Talk through the aims and objectives for the session and ask if there are any questions.

Remind participants that the last session looked at definitions of values and ethics and the place of both in career development.

**Resources:**

**Timing:** 3 minutes

**Transition statement:** We will start by looking at one example of an ethical code.

**Your notes:**

## ICG ethical principles



- Impartiality
- Confidentiality
- Duty of care: client, self, colleagues and organisations
- Equality
- Accessibility
- Accountability
- Continuous professional development.

### Slide 3

Say that you are going to start by looking at the Institute of Career Guidance's Code of Ethical Principles – say that these were chosen as they are representative of most ethics related to IAG.

Show slide 3 and give out associated handout.

Ask the group to read through the items and tell them to ask if they have any queries.

If issues of conflict are raised between these ethics and working practice, say these will be dealt with in the next exercise.

Most of the issues should already have been dealt with in the first workshop, *Introduction to values and ethics in career development*.

**Resources:** Copies of ICG Code of Ethical Principles. This is available from the Institute of Career Guidance (ICG) website if required.

**Timing:** 10 minutes

**Transition statement:** We'll now try and relate these ethical principles to our own working situation.

**Your notes:**

## Ethical principles and your role



Work in groups of three – try to work with someone you do not know well.

Introduce yourselves if necessary and discuss:

- How do these ICG principles relate to your job role?
- How many principles do you use when evaluating your work with learners?
- Support your answers with reasons.

Be prepared to feed back to the group your the main themes of your discussions.

You have 10 minutes for this discussion.

### Slide 4

Highlight that ethical principles are worth anything only if people do and can abide by them.

Show slide 4 and talk through the exercise.

Allow 10 minutes for the exercise and gain feedback from each group.

Write up issues raised on a flip chart or board.

If the principles do not relate to their job role, you need to question whether participants are providing career development as part of their role or whether the conditions set by the organisation are conducive to effective career development.

**Resources:** Flip chart and marker pens, or whiteboard.

**Timing:** 10 minutes discussion and 5 minutes feedback.

**Transition statement:** Now we are going to take this one step further and explore ethical challenges that you may face in your work role.

**Your notes:**



## Ethical challenges



“In the final analysis, as you sit with your clients, only those beliefs, values and norms that you have made your own will make a difference in your helping behavior.”

Egan (2007)

Work in pairs. Consider the ICG ethical principles and select one each that you think is the most problematical for you at work

1. Interview each other, exploring and probing into the nature of these ethical problems and issues (10 minutes each)
2. Jointly agree the actions that could be taken by: you, colleagues, students and the organisation to alleviate your unease (10 minutes)

Be prepared to feed back your general findings.

### Slide 5

Explain that this exercise will allow them to practise interviewing skills and explore ethical issues.

Remind people of Egan’s quote and the importance of being aware and vigilant of our operating values and norms. Interviewing skills are covered in depth in another workshop in this series and in the e-learning programme ‘Career learning for all’ available on the LSIS VLE at [www.leadershiplearning.org.uk](http://www.leadershiplearning.org.uk) and is free.

Ask them to interview each other to explore, probe and clarify issues so they clearly understand the issues and problems. Tell them the next stage is to design an action plan for change and to take responsibility.

Allow 20 minutes for the exercise and then ask each pair to feedback briefly what they identified and the action they propose to take.

**Resources:** Flip chart paper and pens for participants to feed back discussions.

**Timing:** 30 minutes – 10 minutes for each interview and 10 minutes for feedback.

**Transition statement:** So should we have training in ethics?

**Your notes:**

## Why have ethical training?



- Training in ethical decision making is a critical part of vocational and career development.
- Decisions of any consequence have a moral dimension that must be considered in the decision-making process.

Thompson (1990)

Training should help employees:

1. Recognise which decisions involve ethics (not all decisions do)
2. Understand values – the organisation's, their own, and other people's
3. Weigh the potential impact of various options on those values.

“Actually ethics training almost invariably pays off in better decisions and in a more committed work force”

Kirrane (1990) p. 56

### Slide 6

State that there has been research into ethical training and the benefits of undertaking sessions like these.

Show slide 6 and go through the findings.

Say this has been highlighted even further with the recent banking crisis, Enron, MPs' expenses etc. Ask for examples of unethical practice that could occur in career development areas, for example: offering unsuitable courses to students in order to fill vacancies; restricting access to work placements on the grounds of personal preference; destroying a learner's self-confidence; deliberately harming a learner.

Ask for any comments about the findings on the slide.

Ask if any people do ethical decision-making with students and, if so, what it involves.

**Resources:**

**Timing:** 5 minutes

**Transition statement:** How can we tell whether we are making ethical decisions?

**Your notes:**

## Ethical dilemmas



Blanchard and Peale (1988) present three “ethics checks” to help individuals decide what is right:

1. Is it legal?
  - Will I be violating either civil law or company policy?
  
2. Is it balanced?
  - Is it fair to all concerned in the short term as well as the long term?
  - Does it promote win-win relationships?
  
3. How will it make me feel about myself?
  - Will it make me proud?
  - Would I feel good if my decision was published in the newspaper?
  - Would I feel good if my family knew about it?

### Slide 7

Say that some researchers have looked at how you can check if your decisions are ethical. Talk through the stages.

Say other researchers have said you need to do the smell test – if your decision were a smell, what would it be like?

Ask how they feel about this analysis – does it ring true?

Ask how they know if their actions and decisions are ethical.

Ask how they know what organisational policies and procedures are – inductions, intranet sites, handbooks, training etc.

### Resources:

**Timing:** 5 minutes

**Transition statement:** We are now going to look at how you cope with ethical decisions in your workplace.

### Your notes:

## Action learning



Action learning is an approach to the development of people in organisations that takes the task as the vehicle for learning. It is based on the premise that there is no learning without action and no sober and deliberate action without learning.

Three main components:

1. People – take responsibility for taking action
2. Problems / tasks people set
3. Colleagues – support and challenge.

Pedler (1991)

### Slide 8

Say that for the rest of the session you are going to facilitate an exercise that allows them to explore work ethical dilemmas in depth.

Show slide 8 and ask if anyone has participated in them before. If you have experienced people, ask them what format they had followed and in what context they had been used.

Explain that there are a variety of types of action learning and that Reg Revans is regarded as the “father” of action learning. Ask them to read through the definition and explain that all action learning is based on those beliefs. Say that the process is widely used in organisations to develop learning through working on real-life issues. It is commonly used for leadership and management development.

Explain that it is based on a number of principles and values: confidentiality, respect, non-judgemental, empathy, honesty, genuineness and non-directive approach. Say people need to feel safe to describe their issue or problem fully without feeling judged or demeaned. Say timing must be adhered to otherwise they will not allow everyone a fair chance to explore their issues. Ask if any questions.

**Resources:**

**Timing:** 5 minutes – this may be less if the group have already experienced action learning sets.

**Transition statement:** Let’s put it into practice.

**Your notes:**

## Action learning process



- Form groups of four people and sit in a circle facing each other. The group **must** adhere strictly to timings.
- Each person, one at a time, if they wish, to present uninterrupted an ethical dilemma they have at work (5 minutes).
- The group actively listens to the person's input and then they help clarify, explore options and diagnose issues by asking open questions (5 minutes).
- The issue holder then feeds back to the group their new thoughts on the initial issue. (5 minutes)

### Slide 9

Show slide 9 and tell them that this is what they will be asked to do after the break. Check everyone has understood the process – one person at a time explains an ethical dilemma in their own words, at their own pace and is not interrupted. If they stop before five minutes, they need to say they have finished; if they overrun, they need to be stopped by a member of the group.

The group then ask open questions; what, why, how, where and when as well as what if ... with the issue holder actively listening and answering questions only. (Action learning sets often have a discussion phase where the non-problem holders discuss the issue; however, time does not permit this and practice in open questioning is more important for this group.)

The issue holder then feeds back thoughts. Take any questions about the process. Ask people to get into groups of four and ask them to agree their ground rules. It is probably best if people who work closely together, or have a manager-employee relationship, are not in the same group.

**Resources:** Space for groups of four to work confidentially.

**Timing:** 10 minutes.

**Transition statement:** Before we actually try out action learning sets, we'll have a break. We will resume in 20 minutes.

**Your notes:**

## Slide 9 (continued)

### **After the break**

Show slide again; check everyone has understood the process. If not, go through the process again as above. Ask if any group wishes you to be timekeeper and observer of rules i.e. no advice.

### **After the action learning sets**

Thank the attendees for their participation and get them back together as a group. Ask them how they found the process and explain that action learning sets are often a series of meetings by the same people who can feed back results of actions taken after the previous encounter so all can learn.

### **Resources:**

**Timing:** One hour for action learning sets and 5 minutes for review.

**Transition statement:** The last thing for today is to summarise where we have got to.

### **Your notes:**

## Summary



1. What are ICG ethical principles?
2. What issues has this session raised regarding ethics in your job role?
3. What are your views on action learning sets as a development tool?
4. What have you learned from this session?

Thank you for attending; please complete an evaluation form.

### Slide 10

Tell participants that you are now going to review the learning and check that objectives have been met.

Show slide 10 and go through the questions – refer back to the relevant slides if required.

Ask what they will now do – how will they ensure the values and ethics are constantly put into practice?

Ask if any questions or issues and distribute evaluation forms.

**Resources:** Evaluation forms.

**Timing:** 10 minutes

**Transition statement:** I have included a list of the references used in this so you can do further reading on ethics and values.

**Your notes:**

## References



Blanchard, K, and Peale, NV (1998) *The Power of Ethical Management*. New York: William Morrow and Company, Inc.

Egan, G (2007) 8th ed. *The Skilled Helper*, Belmont, CA: Thomson Brooks/Cole.

Kirrane, DE (1990) "Managing Values: A Systematic Approach to Business Ethics." *Training and Development Journal* 44, no. 11 (November): 53–60.

Pedler, M (ed) (1991) *Action Learning in Practice*, 2nd ed Brookfield. VT: Gower.

Thompson, BL (1990) "Ethics Training Enters the Real World." *Training* 27, no. 10 (October): 82–94.

### Slide 11

Thank the group for their participation.

**Resources:**

**Timing:**

**Transition statement:**

**Your notes:**



## LSIS workshop – trainer’s feedback



Please use this form to feedback how useful you found the training materials provided. This is not to measure the success or otherwise of your workshop but to help us improve the quality of the materials provided.

|  |                   |
|--|-------------------|
| Name of workshop: Introduction to values and ethics in career development workshop 2 | Date of workshop: |
|--|-------------------|

Using a rating of 1 = very good to 7 = very poor, please answer the following questions:

|   | Rating |
|---|--------|
| Overall how happy were you with the materials?                |        |
| How well did you think the course met its aim and objectives? |        |
| How well did the course meets its aim and objectives?         |        |
| How would you rate the handouts?                              |        |
| How would you rate the PowerPoint™ presentation?              |        |
| How would you rate the exercises?                             |        |
| How would you rate the trainer’s background information?      |        |

|  |
|--|
| Which parts did you find most useful?                      |
|  |
|  |
| Which parts did you find the least useful?                 |
|  |
|  |
| What do you think could be done to improve the materials?  |
|  |
|  |
| Please comment on the suitability of the timings provided. |
|  |
|  |
| Any other comments?  |
|  |
|  |
|  |

## LSIS workshop – attendee’s feedback



|  |                   |
|--|-------------------|
| Name of workshop: Introduction to values and ethics in career development workshop 2 | Date of workshop: |
|--|-------------------|

Using a rating of 1 = very good to 7 = very poor, please answer the following questions:

|  |  |
|--|--|
| Overall how useful did you find the course?  |  |
| How would you rate the materials provided?   |  |
| How would you rate the trainer?              |  |
| How useful were the exercises?               |  |
| How would you rate the pace of the course?   |  |
| How would you rate the length of the course? |  |

|  |
|--|
| Which parts did you find most useful?                    |
|  |
|  |
|  |
| Which parts did you find the least useful?               |
|  |
|  |
|  |
| What do you think could be done to improve the workshop? |
|  |
|  |
|  |
| Any other comments?                                      |
|  |
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## Appendices

### **BACP Ethical Framework.**

Ethical Framework for Good Practice  
in Counselling & Psychotherapy

**bacp**

British Association for  
Counselling & Psychotherapy

This *Ethical Framework for Good Practice in Counselling and Psychotherapy* is published by the British Association for Counselling and Psychotherapy, BACP House, 15 St John's Business Park, Lutterworth, Leicestershire, LE17 4HB.  
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*The Professional Conduct Procedure and Heads of Complaint* were written by **Grainne Griffin** in consultation with **Dr Tim Bond**, **Alan Jamieson** and **John O'Dowd**.

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Designer: **Paul Revell**

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## Ethics for counselling and psychotherapy

This statement, Ethics for Counselling and Psychotherapy, unifies and replaces all the earlier codes for counsellors, trainers and supervisors and is also applicable to counselling research, the use of counselling skills and the management of these services within organisations. It is intended to inform the practice of each member of the British Association for Counselling and Psychotherapy.

In this statement the term 'practitioner' is used generically to refer to anyone with responsibility for the provision of counselling or psychotherapy-related services. 'Practitioner' includes anyone undertaking the role(s) of counsellor, psychotherapist, trainer, educator, supervisor, researcher, provider of counselling skills or manager of any of these services. The term 'client' is used as a generic term to refer to the recipient of any of these services. The client may be an individual, couple, family, group, organisation or other specifiable social unit. Alternative names may be substituted for 'practitioner' and 'client' in the practice setting, according to custom and context.

This statement indicates an important development in approach to ethics within the Association. One of the characteristics of contemporary society is the coexistence of different approaches to ethics. This statement reflects this ethical diversity by considering:

- **Values**
- **Principles**
- **Personal moral qualities**

This selection of ways of expressing ethical commitments does not seek to invalidate other approaches. The presentation of different ways of conceiving ethics alongside each other in this statement is intended to draw attention to the limitations of relying too heavily on any single ethical approach. Ethical principles are well suited to examining the justification for particular decisions and actions. However, reliance on principles alone may detract from the importance of the practitioner's personal qualities and their ethical significance in the counselling or therapeutic relationship. The provision of culturally sensitive and appropriate services is also a fundamental ethical concern. Cultural factors are often more easily understood and responded to in terms of values. Therefore, professional values are becoming an increasingly significant way of expressing ethical commitment.

### Values of counselling and psychotherapy

The fundamental values of counselling and psychotherapy include a commitment to:

- Respecting human rights and dignity
- Ensuring the integrity of practitioner-client relationships
- Enhancing the quality of professional knowledge and its application
- Alleviating personal distress and suffering
- Fostering a sense of self that is meaningful to the person(s) concerned
- Increasing personal effectiveness
- Enhancing the quality of relationships between people
- Appreciating the variety of human experience and culture
- Striving for the fair and adequate provision of counselling and psychotherapy services

Values inform principles. They represent an important way of expressing a general ethical commitment that becomes more precisely defined and action-orientated when expressed as a principle.

### Ethical principles of counselling and psychotherapy

Principles direct attention to important ethical responsibilities. Each principle is described below and is followed by examples of good practice that have been developed in response to that principle.

Ethical decisions that are strongly supported by one or more of these principles without any contradiction from others may be regarded as reasonably well founded. However, practitioners will encounter circumstances in which it is impossible to reconcile all the applicable principles and choosing between principles may be required. A decision or course of action does not necessarily become unethical merely because it is contentious or other practitioners would have reached different conclusions in similar circumstances. A practitioner's obligation is to consider all the relevant circumstances with as much care as is reasonably possible and to be appropriately accountable for decisions made.

**Fidelity: honouring the trust placed in the practitioner**

Being trustworthy is regarded as fundamental to understanding and resolving ethical issues. Practitioners who adopt this principle: act in accordance with the trust placed in them; regard confidentiality as an obligation arising from the client's trust; restrict any disclosure of confidential information about clients to furthering the purposes for which it was originally disclosed.

**Autonomy: respect for the client's right to be self-governing**

This principle emphasises the importance of the client's commitment to participating in counselling or psychotherapy, usually on a voluntary basis. Practitioners who respect their clients' autonomy: ensure accuracy in any advertising or information given in advance of services offered; seek freely given and adequately informed consent; engage in explicit contracting in advance of any commitment by the client; protect privacy; protect confidentiality; normally make any disclosures of confidential information conditional on the consent of the person concerned; and inform the client in advance of foreseeable conflicts of interest or as soon as possible after such conflicts become apparent. The principle of autonomy opposes the manipulation of clients against their will, even for beneficial social ends.

**Beneficence: a commitment to promoting the client's well-being**

The principle of beneficence means acting in the best interests of the client based on professional assessment. It directs attention to working strictly within one's limits of competence and providing services on the basis of adequate training or experience. Ensuring that the client's best interests are achieved requires systematic monitoring of practice and outcomes by the best available means. It is considered important that research and systematic reflection inform practice. There is an obligation to use regular and on-going supervision to enhance the quality of the services provided and to commit to updating practice by continuing professional development. An obligation to act in the best interests of a client may become paramount when working with clients whose capacity for autonomy is diminished because of immaturity, lack of understanding, extreme distress, serious disturbance or other significant personal constraints.

**Non-maleficence: a commitment to avoiding harm to the client**

Non-maleficence involves: avoiding sexual, financial, emotional or any other form of client exploitation; avoiding incompetence or malpractice; not providing services when unfit to do so due to illness, personal circumstances or intoxication. The practitioner has an ethical responsibility to strive to mitigate any harm caused to a client even when the harm is unavoidable or unintended. Holding appropriate insurance may assist in restitution. Practitioners have a personal responsibility to challenge, where appropriate, the incompetence or malpractice of others; and to contribute to any investigation and/or adjudication concerning professional practice which falls below that of a reasonably competent practitioner and/or risks bringing discredit upon the profession.

**Justice: the fair and impartial treatment of all clients and the provision of adequate services**

The principle of justice requires being just and fair to all clients and respecting their human rights and dignity. It directs attention to considering conscientiously any legal requirements and obligations, and remaining alert to potential conflicts between legal and ethical obligations. Justice in the distribution of services requires the ability to determine impartially the provision of services for clients and the allocation of services between clients. A commitment to fairness requires the ability to appreciate differences between people and to be committed to equality of opportunity, and avoiding discrimination against people or groups contrary to their legitimate personal or social characteristics. Practitioners have a duty to strive to ensure a fair provision of counselling and psychotherapy services, accessible and appropriate to the needs of potential clients.

**Self-respect: fostering the practitioner's self-knowledge and care for self**

The principle of self-respect means that the practitioner appropriately applies all the above principles as entitlements for self. This includes seeking counselling or therapy and other opportunities for personal development as required. There is an ethical responsibility to use supervision for appropriate personal and professional support and development, and to seek training and other opportunities for continuing professional development. Guarding against financial liabilities arising from work undertaken usually requires obtaining appropriate insurance. The principle of self-respect encourages active engagement in life-enhancing activities and relationships that are independent of relationships in counselling or psychotherapy.

## Personal moral qualities

The practitioner's personal moral qualities are of the utmost importance to clients. Many of the personal qualities considered important in the provision of services have an ethical or moral component and are therefore considered as virtues or good personal qualities. It is inappropriate to prescribe that all practitioners possess these qualities, since it is fundamental that these personal qualities are deeply rooted in the person concerned and developed out of personal commitment rather than the requirement of an external authority. Personal qualities to which counsellors and psychotherapists are strongly encouraged to aspire include:

|                    |  |
|--------------------|--|
| <b>Empathy:</b>    | <b>the ability to communicate understanding of another person's experience from that person's perspective.</b> |
| <b>Sincerity:</b>  | <b>a personal commitment to consistency between what is professed and what is done.</b>                        |
| <b>Integrity:</b>  | <b>commitment to being moral in dealings with others, personal straightforwardness, honesty and coherence.</b> |
| <b>Resilience:</b> | <b>the capacity to work with the client's concerns without being personally diminished.</b>                    |
| <b>Respect:</b>    | <b>showing appropriate esteem to others and their understanding of themselves.</b>                             |
| <b>Humility:</b>   | <b>the ability to assess accurately and acknowledge one's own strengths and weaknesses.</b>                    |
| <b>Competence:</b> | <b>the effective deployment of the skills and knowledge needed to do what is required.</b>                     |
| <b>Fairness:</b>   | <b>the consistent application of appropriate criteria to inform decisions and actions.</b>                     |
| <b>Wisdom:</b>     | <b>possession of sound judgement that informs practice.</b>  |
| <b>Courage:</b>    | <b>the capacity to act in spite of known fears, risks and uncertainty.</b>                                     |

## Conclusion

The challenge of working ethically means that practitioners will inevitably encounter situations where there are competing obligations. In such situations it is tempting to retreat from all ethical analysis in order to escape a sense of what may appear to be unresolvable ethical tension. These ethics are intended to be of assistance in such circumstances by directing attention to the variety of ethical factors that may need to be taken into consideration and to alternative ways of approaching ethics that may prove more useful. No statement of ethics can totally alleviate the difficulty of making professional judgements in circumstances that may be constantly changing and full of uncertainties. By accepting this statement of ethics, members of the British Association for Counselling and Psychotherapy are committing themselves to engaging with the challenge of striving to be ethical, even when doing so involves making difficult decisions or acting courageously.

## Guidance on good practice in counselling and psychotherapy

The British Association for Counselling and Psychotherapy is committed to sustaining and advancing good practice. This guidance on the essential elements of good practice has been written to take into account the changing circumstances in which counselling and psychotherapy are now being delivered, in particular:

- changes in the range of issues and levels of need presented by clients
- the growth in levels of expertise available from practitioners with the expansion in the availability of training and consultative support/supervision
- the accumulated experience of this Association over nearly three decades.

The diversity of settings within which counselling and psychotherapy services are delivered has also been carefully considered. These services may be provided by the independent practitioner working alone, one or more practitioners working to provide a service within an agency or large organisation, specialists working in multidisciplinary teams, and by specialist teams of counsellors and psychotherapists. Most work is undertaken face to face but there are also a growing number of telephone and online services. Some practitioners are moving between these different settings and modes of delivery during the course of their work and are therefore required to consider what constitutes good practice in different settings. All practitioners encounter the challenge of responding to the diversity of their clients and finding ways



of working effectively with them. This statement therefore responds to the complexity of delivering counselling and psychotherapy services in contemporary society by directing attention to essential issues that practitioners ought to consider and resolve in the specific circumstances of their work.

The term 'practitioner' is used generically to refer to anyone with responsibility for the provision of counselling or psychotherapy-related services. 'Practitioner' includes anyone undertaking the role(s) of counsellor, psychotherapist, trainer, educator, supervisor, researcher, provider of counselling skills or manager of any of these services. The term 'client' is used as a generic term to refer to the recipient of any of these services. The client may be an individual, couple, family, group, organisation or other specifiable social unit. Alternative names may be substituted for 'practitioner' and 'client' in the practice setting as the terminology varies according to custom and context.

## Providing a good standard of practice and care

All clients are entitled to good standards of practice and care from their practitioners in counselling and psychotherapy. Good standards of practice and care require professional competence; good relationships with clients and colleagues; and commitment to and observance of professional ethics.

### Good quality of care

1. Good quality of care requires competently delivered services that meet the client's needs by practitioners who are appropriately supported and accountable.
2. Practitioners should give careful consideration to the limitations of their training and experience and work within these limits, taking advantage of available professional support. If work with clients requires the provision of additional services operating in parallel with counselling or psychotherapy, the availability of such services ought to be taken into account, as their absence may constitute a significant limitation.
3. Good practice involves clarifying and agreeing the rights and responsibilities of both the practitioner and client at appropriate points in their working relationship.
4. Dual relationships arise when the practitioner has two or more kinds of relationship concurrently with a client, for example client and trainee, acquaintance and client, colleague and supervisee. The existence of a dual relationship with a client is seldom neutral and can have a powerful beneficial or detrimental impact that may not always be easily foreseeable. For these reasons practitioners are required to consider the implications of entering into dual relationships with clients, to avoid entering into relationships that are likely to be detrimental to clients, and to be readily accountable to clients and colleagues for any dual relationships that occur.
5. Practitioners are encouraged to keep appropriate records of their work with clients unless there are adequate reasons for not keeping any records. All records should be accurate, respectful of clients and colleagues and protected from unauthorised disclosure. Practitioners should take into account their responsibilities and their clients' rights under data protection legislation and any other legal requirements.
6. Clients are entitled to competently delivered services that are periodically reviewed by the practitioner. These reviews may be conducted, when appropriate, in consultation with clients, supervisors, managers or other practitioners with relevant expertise.

### Maintaining competent practice

7. All counsellors, psychotherapists, trainers and supervisors are required to have regular and on-going formal supervision/consultative support for their work in accordance with professional requirements. Managers, researchers and providers of counselling skills are strongly encouraged to review their need for professional and personal support and to obtain appropriate services for themselves.
8. Regularly monitoring and reviewing one's work is essential to maintaining good practice. It is important to be open to, and conscientious in considering, feedback from colleagues, appraisals and assessments. Responding constructively to feedback helps to advance practice.
9. A commitment to good practice requires practitioners to keep up to date with the latest knowledge and respond to changing circumstances. They should consider carefully their own need for continuing professional development and engage in appropriate educational activities.
10. Practitioners should be aware of and understand any legal requirements concerning their work, consider these conscientiously and be legally accountable for their practice.

### Keeping trust

11. The practice of counselling and psychotherapy depends on gaining and honouring the trust of clients. Keeping trust requires:
  - attentiveness to the quality of listening and respect offered to clients
  - culturally appropriate ways of communicating that are courteous and clear

- respect for privacy and dignity
  - careful attention to client consent and confidentiality
12. Clients should be adequately informed about the nature of the services being offered. Practitioners should obtain adequately informed consent from their clients and respect a client's right to choose whether to continue or withdraw.
  13. Practitioners should ensure that services are normally delivered on the basis of the client's explicit consent. Reliance on implicit consent is more vulnerable to misunderstandings and is best avoided unless there are sound reasons for doing so. Overriding a client's known wishes or consent is a serious matter that requires commensurate justification. Practitioners should be prepared to be readily accountable to clients, colleagues and professional body if they override a client's known wishes.
  14. Situations in which clients pose a risk of causing serious harm to themselves or others are particularly challenging for the practitioner. These are situations in which the practitioner should be alert to the possibility of conflicting responsibilities between those concerning their client, other people who may be significantly affected, and society generally. Resolving conflicting responsibilities may require due consideration of the context in which the service is being provided. Consultation with a supervisor or experienced practitioner is strongly recommended, whenever this would not cause undue delay. In all cases, the aim should be to ensure for the client a good quality of care that is as respectful of the client's capacity for self-determination and their trust as circumstances permit.
  15. Working with young people requires specific ethical awareness and competence. The practitioner is required to consider and assess the balance between young people's dependence on adults and carers and their progressive development towards acting independently. Working with children and young people requires careful consideration of issues concerning their capacity to give consent to receiving any service independently of someone with parental responsibilities and the management of confidences disclosed by clients.
  16. Respecting client confidentiality is a fundamental requirement for keeping trust. The professional management of confidentiality concerns the protection of personally identifiable and sensitive information from unauthorised disclosure. Disclosure may be authorised by client consent or the law. Any disclosures should be undertaken in ways that best protect the client's trust. Practitioners should be willing to be accountable to their clients and to their profession for their management of confidentiality in general and particularly for any disclosures made without their client's consent.
  17. Practitioners should normally be willing to respond to their client's requests for information about the way that they are working and any assessment that they may have made. This professional requirement does not apply if it is considered that imparting this information would be detrimental to the client or inconsistent with the counselling or psychotherapeutic approach previously agreed with the client. Clients may have legal rights to this information and these need to be taken into account.
  18. Practitioners must not abuse their client's trust in order to gain sexual, emotional, financial or any other kind of personal advantage. Sexual relations with clients are prohibited. 'Sexual relations' include intercourse, any other type of sexual activity or sexualised behaviour. Practitioners should think carefully about, and exercise considerable caution before, entering into personal or business relationships with former clients and should expect to be professionally accountable if the relationship becomes detrimental to the client or the standing of the profession.
  19. Practitioners should not allow their professional relationships with clients to be prejudiced by any personal views they may hold about lifestyle, gender, age, disability, race, sexual orientation, beliefs or culture.
  20. Practitioners should be clear about any commitment to be available to clients and colleagues and honour these commitments.

### Teaching and training

21. All practitioners are encouraged to share their professional knowledge and practice in order to benefit their clients and the public.
22. Practitioners who provide education and training should acquire the skills, attitudes and knowledge required to be competent teachers and facilitators of learning.
23. Practitioners are required to be fair, accurate and honest in their assessments of their students.
24. Prior consent is required from clients if they are to be observed, recorded or if their personally identifiable disclosures are to be used for training purposes.

### Supervising and managing

25. Practitioners are responsible for clarifying who holds responsibility for the work with the client.
26. There is a general obligation for all counsellors, psychotherapists, supervisors and trainers to receive supervision/consultative support independently of any managerial relationships.
27. Supervisors and managers have a responsibility to maintain and enhance good practice by practitioners, to protect clients from poor practice and to acquire the attitudes, skills and knowledge required by their role.

### Researching

28. The Association is committed to fostering research that will inform and develop practice. All practitioners are encouraged to support research undertaken on behalf of the profession and to participate actively in research work.
29. All research should be undertaken with rigorous attentiveness to the quality and integrity both of the research itself and of the dissemination of the results of the research.
30. The rights of all research participants should be carefully considered and protected. The minimum rights include the right to freely given and informed consent, and the right to withdraw at any point.
31. The research methods used should comply with the standards of good practice in counselling and psychotherapy and must not adversely affect clients.

### Fitness to practise

32. Practitioners have a responsibility to monitor and maintain their fitness to practise at a level that enables them to provide an effective service. If their effectiveness becomes impaired for any reason, including health or personal circumstances, they should seek the advice of their supervisor, experienced colleagues or line manager and, if necessary, withdraw from practice until their fitness to practise returns. Suitable arrangements should be made for clients who are adversely affected.

### If things go wrong with own clients

33. Practitioners should respond promptly and appropriately to any complaint received from their clients. An appropriate response in agency-based services would take account of any agency policy and procedures.
34. Practitioners should endeavour to remedy any harm they may have caused to their clients and to prevent any further harm. An apology may be the appropriate response.
35. Practitioners should discuss, with their supervisor, manager or other experienced practitioner(s), the circumstances in which they may have harmed a client in order to ensure that the appropriate steps have been taken to mitigate any harm and to prevent any repetition.
36. Practitioners are strongly encouraged to ensure that their work is adequately covered by insurance for professional indemnity and liability.
37. If practitioners consider that they have acted in accordance with good practice but their client is not satisfied that this is the case, they may wish to use independent dispute resolution, for example: seeking a second professional opinion, mediation, or conciliation where this is both appropriate and practical.
38. Clients should be informed about the existence of the Professional Conduct Procedure of this Association and any other applicable complaints or disciplinary procedures. If requested to do so, practitioners should inform their clients about how they may obtain further information concerning these procedures.

### Responsibilities to all clients

39. Practitioners have a responsibility to protect clients when they have good reason for believing that other practitioners are placing them at risk of harm.
40. They should raise their concerns with the practitioner concerned in the first instance, unless it is inappropriate to do so. If the matter cannot be resolved, they should review the grounds for their concern and the evidence available to them and, when appropriate, raise their concerns with the practitioner's manager, agency or professional body.
41. If they are uncertain what to do, their concerns should be discussed with an experienced colleague, a supervisor or raised with this Association.
42. All members of this Association share a responsibility to take part in its professional conduct procedures whether as the person complained against or as the provider of relevant information.

## Working with colleagues

The increasing availability of counselling and psychotherapy means that most practitioners have other practitioners working in their locality, or may be working closely with colleagues within specialised or multidisciplinary teams. The quality of the interactions between practitioners can enhance or undermine the claim that counselling and psychotherapy enable clients to increase their insight and expertise in personal relationships. This is particularly true for practitioners who work in agencies or teams.

### Working in teams

43. Professional relationships should be conducted in a spirit of mutual respect. Practitioners should endeavour to attain good working relationships and systems of communication that enhance services to clients at all times.

44. Practitioners should treat all colleagues fairly and foster equality opportunity.
45. They should not allow their professional relationships with colleagues to be prejudiced by their own personal views about a colleague's lifestyle, gender, age, disability, race, sexual orientation, beliefs or culture. It is unacceptable and unethical to discriminate against colleagues on any of these grounds.
46. Practitioners must not undermine a colleague's relationships with clients by making unjustified or unsustainable comments.
47. All communications between colleagues about clients should be on a professional basis and thus purposeful, respectful and consistent with the management of confidences as declared to clients.

### **Awareness of context**

48. The practitioner is responsible for learning about and taking account of the different protocols, conventions and customs that can pertain to different working contexts and cultures.

### **Making and receiving referrals**

49. All routine referrals to colleagues and other services should be discussed with the client in advance and the client's consent obtained both to making the referral and also to disclosing information to accompany the referral. Reasonable care should be taken to ensure that:
  - the recipient of the referral is able to provide the required service;
  - any confidential information disclosed during the referral process will be adequately protected;
  - the referral will be likely to benefit the client.
50. Prior to accepting a referral the practitioner should give careful consideration to:
  - the appropriateness of the referral;
  - the likelihood that the referral will be beneficial to the client;
  - the adequacy of the client's consent for the referral.

If the referrer is professionally required to retain overall responsibility for the work with the client, it is considered to be professionally appropriate to provide the referrer with brief progress reports. Such reports should be made in consultation with clients and not normally against their explicit wishes.

## **Probity in professional practice**

Ensuring the probity of practice is important both to those who are directly affected but also to the standing of the profession as a whole.

### **Providing clients with adequate information**

51. Practitioners are responsible for clarifying the terms on which their services are being offered in advance of the client incurring any financial obligation or other reasonably foreseeable costs or liabilities.
52. All information about services should be honest, accurate, avoid unjustifiable claims, and be consistent with maintaining the good standing of the profession.
53. Particular care should be taken over the integrity of presenting qualifications, accreditation and professional standing.

### **Financial arrangements**

54. Practitioners are required to be honest, straightforward and accountable in all financial matters concerning their clients and other professional relationships.

### **Conflicts of interest**

55. Conflicts of interest are best avoided, provided they can be reasonably foreseen in the first instance and prevented from arising. In deciding how to respond to conflicts of interest, the protection of the client's interests and maintaining trust in the practitioner should be paramount.

## **Care of self as a practitioner**

Attending to the practitioner's well-being is essential to sustaining good practice.

56. Practitioners have a responsibility to themselves to ensure that their work does not become detrimental to their health or well-being by ensuring that the way that they undertake their work is as safe as possible and that they seek appropriate professional support and services as the need arises.
57. Practitioners are entitled to be treated with proper consideration and respect that is consistent with this Guidance.

# Professional Conduct Procedure

It is the responsibility of all Members and Complainants to ensure that they fully understand the Professional Conduct Procedure and the associated protocols. This procedure forms an essential part of BACP's commitment to the protection of the public. Members are required to inform any client who indicates that they have a complaint or grievance about the existence of this procedure and any other applicable complaints or disciplinary procedures. If requested to do so, practitioners should inform their clients about how they may obtain further information concerning these procedures. Further information may be obtained by contacting the Professional Conduct Department at BACP directly; alternatively, all documentation is available on the BACP website at [www.bacp.co.uk](http://www.bacp.co.uk).

## 1 Introduction

### 1.1 Aim

The aim of the Professional Conduct Procedure is to provide complainants with an open and transparent route of remedy where complaints are made against members of this Association. In processing such complaints, the Association aims to protect members of the public, the name and reputation of BACP and the professions of counselling and psychotherapy.

### 1.2 Bringing a complaint

A complaint can be brought by either:

- a) a member of the public who has sought or received a service provided by a member of the Association; or
- b) a current member of the Association who may bring complaints for services sought or received directly from another member; or who has witnessed poor practice delivered by another member; or on behalf of another where their written permission has been obtained and where that person is unable to bring the complaint on their own behalf (explanation is required in writing as to the nature of the inability); or
- c) a legal guardian or other appropriately authorised adult on behalf of a minor and/or an adult lacking legal capacity for services sought or received; or
- d) a third party who can demonstrate sufficient interest and who has been directly affected by the actions of the practitioner, subject to the protocol on third party complaints.

### 1.3 Complaints against non-members

The Association cannot deal with complaints against individuals or organisations that were not members of the Association at the time of the alleged misconduct and/or are not current members of the Association.

### 1.4 Complaints against members

A complaint made against a member and brought within the timescale detailed below, may cover the entirety of the professional relationship in so far as the member concerned was a member of the Association at the time of the alleged professional misconduct.

### 1.5 Timescale

A complaint must be submitted either:

- a) within three years of the ending of the professional relationship; or
- b) within three years of the date when the Complainant reasonably became aware of the alleged professional misconduct. The Complainant must provide a written explanation as to when/how they became aware and this will be considered by the Pre-Hearing Assessment Panel which will decide if the explanation given is good and/or sufficient; or
- c) within a reasonable time of the alleged professional misconduct.

The Association will not consider any complaints where the substantive matters have previously been considered by the Association under these procedures.

### 1.6 Records

All records will be kept for a period of seven years. The Association reserves the right to reconsider complaints previously submitted when similar/other complaints subsequently arise that give good reason to suggest that the practitioner's continuing membership should be considered under Article 4.6 of the Memorandum & Articles of Association.

Where the outcome of a complaint has resulted in termination of membership of the Association, all records will be kept unless and/or until such time as the person concerned has successfully re-applied for membership of the Association. Such records will be considered in any re-application for membership of the Association.

### 1.7 Administration

The administration of the Professional Conduct Procedure will follow the protocols laid down and as amended from time to time by the Association. These will be administered by the Head of Professional Conduct.

There is benefit in furthering the charitable aims of the Association by carrying out audits and/or research into complaints. The data from complaints will be processed for the purposes of research and statistical analysis. Where this work is carried out, either by BACP or a third party, under strict protocols of confidentiality, the confidentiality of the parties concerned will be respected and any published research and/or analysis will not contain any personally identifiable information.

### 1.8 Expenses

The Association is not responsible for travel or any other expenses incurred either by the Complainant or the Member Complained Against or any support person/representative in connection with any stage of the complaint. The Association cannot order one party in a complaint to pay another party's costs.

However, where a witness is called by the Chair of the Panel, BACP will reimburse reasonable travel expenses upon the production of valid receipts and completion of an expense claim form.

### 1.9 Dual accountability

The Association may decide to hear a complaint against a member when another organisation is involved in a similar process arising out of the same substantive matters. Where information is received for consideration under the Professional Conduct Procedure and where it is known that the member concerned is also a member of another professional body, the Association reserves the right to formally notify any other organisation of the issues being considered.

### 1.10 Resolution

Before submitting a complaint to BACP, the Complainant is expected to attempt to resolve the issue with the individual or organisational Member Complained Against and details of any attempt at resolution should be included with the complaint. If local resolution is not possible/feasible or is considered inappropriate in the particular circumstances of the case, the Complainant will be required to provide a written explanation as to why this is the case.

### 1.11 Complaints and findings

The Association reserves the right to notify other professional bodies and/or agencies about complaints and to distribute any findings upheld against a member, where it considers it right and just to do so in all circumstances.

## 2 Making A Complaint

### 2.1 The complaint

The complaint must satisfy the following conditions:

- a) The Complainant must provide a detailed account of the practice giving rise to the complaint, together with details of dates when the event(s) occurred. Reference may be made to the standards of practice outlined in the Ethical Framework for Good Practice in Counselling and Psychotherapy and/or the relevant Codes of Ethics and Practice in force at the time, together with all supporting evidence as appropriate. Reference may also be made to the Ethical guidelines for researching counselling and psychotherapy, as appropriate.
- b) The individual or organisational Member Complained Against is named and is a current member of the Association and was a member of the Association at the time the alleged breach occurred.
- c) It is in writing, dated, signed and received by the Head of Professional Conduct.

A complaint not satisfying the above conditions will not be accepted or processed under these procedures.

## 2.2 Notification

The Member Complained Against will be notified that a complaint has been received, given a copy of that complaint and details of the procedure to be followed. The Member Complained Against is not required to respond at this stage, but will be given an opportunity at a later stage if the complaint is accepted under the formal Professional Conduct Procedure (as set out in section 3).

## 2.3 Receipt of a complaint

The complaint will be submitted to a Pre-Hearing Assessment Panel, whereupon the Panel will decide:

- a) whether to accept the complaint to be dealt with at a Professional Conduct Hearing, refer it back for further information/clarification or reject it. The Panel has discretion to interview the Complainant and/or Member Complained Against if deemed appropriate;
- b) if further information/clarification is requested, upon receipt of same, the complaint will be re-submitted to the Pre-Hearing Assessment Panel which will decide whether to accept it or reject it;
- c) once the complaint is accepted, the Complainant and Member Complained Against will be formally notified of this decision in writing. The Head of Professional Conduct will then start the formal Professional Conduct Procedure (as set out in section 3);
- d) if the complaint is not accepted by the Pre-Hearing Assessment Panel, the Complainant and Member Complained Against will be formally notified of this decision in writing.

## 2.4 Appeal following decision of the Pre-Hearing Assessment Panel

The Complainant may appeal against the decision of the Pre-Hearing Assessment Panel. An appeal must be received by the Head of Professional Conduct within 14 days of notification of the Panel's decision. The Complainant can appeal on the following grounds:

- a) the decision was made against the weight of evidence;
- b) there is new evidence that was not available at the time of the Pre-Hearing Assessment Panel (subject to the conditions laid down in the relevant protocol).

The intention to appeal must be accompanied by the evidence to support the submission.

The ground(s) of appeal, together with the original submissions and any new evidence considered by the Pre-Hearing Assessment Panel, will be considered by an independent Appeal Assessor. The Appeal Assessor's decision will be final.

# 3 The Formal Professional Conduct Procedure

## 3.1 Acceptance of complaint

The Complainant and Member Complained Against will be notified in writing that the complaint will proceed to a Professional Conduct Hearing.

## 3.2 Responding to a formal complaint

The Member Complained Against will be notified of the acceptance of the complaint and will have 28 days to respond to it, having previously been supplied with a copy of the complaint. The Member Complained Against will also be furnished with any further information submitted by the Complainant and considered by the Pre-Hearing Assessment Panel. Any response to the complaint must be forwarded to the Head of Professional Conduct.

## 3.3 Evidence

All evidence submitted for the purpose of the Professional Conduct Hearing, by either the Complainant or the Member Complained Against, shall be available to the parties involved in the complaint. The Head of Professional Conduct will distribute to the parties copies of all submissions made.

## 3.4 Conduct

It is the duty of the parties taking part in the Professional Conduct Procedure to comply with the implementation of the Professional Conduct Procedure. Such persons shall comply with the relevant protocols as laid down by the Association. Any failure to comply may result in the termination of the Professional Conduct Procedure or withdrawal of membership under Article 4.6 of the Memorandum and Articles of Association.

### 3.5 Lapsed membership

Failure to renew membership by a Member Complained Against during the course of a complaint will not normally terminate the Professional Conduct Procedure.

A member's resignation from membership of the Association will not normally terminate nor invalidate the processing and/or hearing of a complaint by the Association.

## 4 The Professional Conduct Hearing

### 4.1 Venue

Professional Conduct Hearings will be held at a neutral venue within the vicinity of the Association's headquarters, other than in exceptional circumstances.

### 4.2 Professional Conduct Panel

The Head of Professional Conduct will appoint an independently constituted panel of not less than three persons, including lay representation, to hear the complaint.

### 4.3 Declaration of interest

Members of the Professional Conduct Panel have a duty to declare any interest which may be considered by the Head of Professional Conduct to affect their impartiality, or likely to be thought so to do.

### 4.4 Purpose

The purpose of the Professional Conduct Hearing is for the Professional Conduct Panel to examine all the written and oral evidence presented by both parties and decide whether the complaint is proved or not. If proved, the Panel will decide whether or not any sanction should be imposed.

### 4.5 Presence of a representative/support person

When appearing at the Professional Conduct Hearing, the Complainant and Member Complained Against may each be accompanied by a representative who may support and/or speak on behalf of the party concerned. Such details of a representative/support person must be received by the Head of Professional Conduct not less than 28 days prior to the date fixed for the Professional Conduct Hearing.

### 4.6 Written evidence

Written evidence and/or submissions and witness statements must be submitted in advance by the Complainant and the Member Complained Against. Such papers must be received by the Head of Professional Conduct not less than 28 days prior to the date fixed for the Professional Conduct Hearing. Such papers will be circulated to the Professional Conduct Panel, the Complainant and the Member Complained Against, within a reasonable period prior to the Hearing. The Chair of the Professional Conduct Panel may take advice on these papers and/or procedural matters from the Head of Professional Conduct or such relevant person as may be deemed appropriate.

### 4.7 New evidence

The Chair of the Professional Conduct Panel will determine whether or not new evidence will be accepted on the day of the Hearing. The decision will be based on the conditions laid down in the relevant protocol. The Chair of the Professional Conduct Panel may take advice on such matters from the Head of Professional Conduct.

### 4.8 Attendance by witnesses

A witness can only be called if the witness has supplied a written statement contained within the parties' submissions to BACP. Parties wishing to call witnesses must notify the Head of Professional Conduct of the names and details of such witnesses not less than 28 days prior to the date fixed for the Hearing. The Chair of the Panel will only permit the attendance of a witness if the Panel considers their written statement requires further clarification. The Professional Conduct Panel, Complainant and Member Complained Against may call witnesses to attend the Hearing. The Chair of the Panel has discretion to refuse attendance by a witness if it is reasonably believed that such attendance is not relevant and/or will not add any weight to the issue(s) being considered. Witnesses may be questioned by the Panel and by either party connected with the case.



#### 4.9 Failure to attend the Professional Conduct Hearing

Where a Complainant or Member Complained Against fails or refuses to attend a Professional Conduct Hearing, the Chair of the Professional Conduct Panel has the power to decide to either:

- a) proceed with the Hearing in the absence of one or both of the parties; or
- b) adjourn the Hearing to a date not less than 28 days in advance; or
- c) terminate the proceedings; or
- d) refer the matter for consideration under Article 4.6 of the Memorandum & Articles of Association.

#### 4.10 Notification of findings

The decision of the Professional Conduct Panel will be notified in writing to the parties within 28 days of the Professional Conduct Hearing.

The entirety of the decision of the Professional Conduct Panel, together with the details of any sanction, will be published on the Association's website and in its journal.

### 5 Sanction

#### 5.1 The Professional Conduct Panel, having regard to the findings, may impose one or more of the sanctions detailed in the relevant protocol.

The Head of Professional Conduct will appoint an independently constituted Sanction Panel which will consist of not less than three people, usually two members of the Association and one lay member, to consider any evidence of compliance.

#### 5.2 Lifting of sanction

The Sanction Panel will decide if the requirements of the sanction have been fulfilled and thus, whether the sanction should be lifted.

The Member Complained Against will be notified in writing of any decision made. Where a sanction has been successfully complied with and, thus, lifted, a Sanction Compliance Notice will be published on the Association's website and in its journal.

#### 5.3 Failure or refusal to comply with sanction

Failure or refusal to comply with a sanction may result in membership of the Association being withdrawn immediately. The Chair of the Association will notify the Member Complained Against of any such decision in writing. In such circumstances, a Withdrawal of Membership Notice will be published on the Association's website and in its journal.

### 6 Formal Appeal Procedure

#### 6.1 The Member Complained Against may appeal on the ground(s) detailed in paragraph 6.5. An appeal against the decision of the Professional Conduct Panel must be submitted in writing by the deadline given (see paragraph 6.6), be accompanied by any supporting documentation and submitted to the Head of Professional Conduct.

#### 6.2 The ground(s) for appeal will be considered by an independent Appeal Assessor who will decide whether the appeal should be accepted to go forward to an Appeal Hearing or not.

#### 6.3 If leave to appeal is accepted under paragraph 6.2, a notice to that effect shall be given to the Head of Professional Conduct and the case will proceed to an Appeal Hearing, where the appeal will be considered by an independent Appeal Panel, as set out in Section 7. The Appellant and the Complainant will be notified of this decision and given details of the procedure to be followed.

#### 6.4 If there is insufficient evidence to satisfy any of the ground(s) for appeal, the leave to appeal will be rejected. The Appellant and the Complainant will be notified in writing of this decision which will be final.

- 6.5** An appeal will be considered on any of the following ground(s):
- the facts were found against the weight of evidence;
  - the sanction is disproportionate to the findings and decision of the Professional Conduct Panel and is unjust in all the circumstances;
  - there is evidence to suggest that a procedural impropriety may have had a material effect on the findings and decision of the Professional Conduct Panel;
  - there is new evidence which was not available at the time of the Professional Conduct Hearing, subject to the conditions laid down in the relevant protocol.

## **6.6 Timescale for appeal**

An appeal must be in writing, and must specify which ground(s) it is submitted under and be accompanied by any supporting documentation and served upon the Head of Professional Conduct within 28 days of notification of the findings and decision and/or sanction of the Professional Conduct Panel.

# **7 Appeal Hearing**

## **7.1 Venue**

Appeal hearings will be held at a neutral venue within the vicinity of the Association's headquarters, other than in exceptional circumstances.

## **7.2 Appeal Panel**

The Head of Professional Conduct will appoint an independently constituted panel of not less than three persons, including lay representation, to decide the appeal.

## **7.3 Declaration of interest**

Members of an appeal panel have a duty to declare any interest which may be considered by the Head of Professional Conduct to affect their impartiality, or likely to be thought so to do.

## **7.4 Purpose**

The purpose of an appeal hearing is for an appeal panel to examine all the written and oral evidence presented by both parties to decide whether the appeal is upheld or not.

## **7.5 Format of the Appeal Hearing**

The Appeal Hearing will be by way of a review of the Professional Conduct Panel's decision in light of the evidence put before it. The Appeal Panel will then consider the appeal documentation in its entirety, together with any verbal submissions and mitigating factors before reaching its decision.

## **7.6 Presence of a representative/support person**

When appearing at the Appeal Hearing, both parties may be accompanied by a representative who may support and/or speak on behalf of the party concerned. Such details of a representative/support person must be received by the Head of Professional Conduct not less than 28 days prior to the date fixed for the Appeal Hearing.

## **7.7 Written evidence**

Written evidence and/or submissions and witness statements must be submitted in advance by the Appellant and the Complainant. Such papers must be received by the Head of Professional Conduct not less than 28 days prior to the date fixed for the Appeal Hearing. Such papers will be circulated to the Appeal Panel, the Appellant and the Complainant, within a reasonable period prior to the Hearing. The Chair of the Appeal Panel may take advice on these papers and/or procedural matters from the Head of Professional Conduct, or such relevant person as may be deemed appropriate.

## **7.8 New evidence**

The Chair of the Appeal Panel will determine whether or not new evidence will be accepted on the day of the Appeal Hearing. The decision will be based on the conditions laid down in the relevant protocol. The Chair of the Appeal Panel may take advice on such matters from the Head of Professional Conduct.

## 7.9 Attendance by witnesses

A witness can only be called if the witness has supplied a written statement contained within the parties' submissions to BACP. Parties wishing to call witnesses must notify the Head of Professional Conduct of the names and details of such witnesses not less than 28 days prior to the date fixed for the Hearing. The Chair of the Appeal Panel will only permit the attendance of a witness if the Panel considers that their written statement requires further clarification. The Appeal Panel, Appellant and Complainant may call witnesses to attend the Hearing. The Chair of the Appeal Panel has discretion to refuse attendance by a witness if it is reasonably believed that such attendance is not relevant and/or will not add any weight to the issue(s) being considered. Witnesses may be questioned by the Panel and by either party connected with the case.

## 7.10 Failure to attend the Appeal Hearing

Where an Appellant or Complainant fails or refuses to attend an Appeal Hearing, the Chair of the Appeal Panel has the power to decide to either:

- a) proceed with the Hearing in the absence of one or both of the parties; or
- b) adjourn the Hearing to a date not less 28 days in advance; or
- c) refer the matter for consideration under Article 4.6 of the Memorandum & Articles of Association.

## 7.11 Notification of decision

The decision of the Appeal Panel will be notified to the parties in writing and normally within 14 days of the Appeal Hearing.

Where an Appeal has not been successful, the decision of the Appeal Panel, including details of any sanction, incorporating any amendment(s) made by the Appeal Panel, will be published on the Association's website and in its journal.

If the decision is that the Appellant's membership of the Association should be withdrawn, the Head of Professional Conduct will communicate this decision to the Chair of the Association who, in turn, will formally notify the Appellant in writing and implement the Panel's decision, which will be final.

# 8 Publication

**8.1** The decision of the Professional Conduct and/or Appeal Panel, together with details of any sanction, will be published on the Association's website and in its journal in such detail as deemed appropriate to the findings and at its discretion.

**8.2** The withdrawal of membership under the Professional Conduct Procedure will be published on the Association's website, in its journal and elsewhere as it considers appropriate and just to do so, and in the interests of public protection.

**8.3** Under these procedures, any notification that the Association is entitled to publish on its website and in its journal may be published elsewhere by the Association at its discretion and in the interests of public protection.

# 9 Effective Date

This Professional Conduct Procedure 2009 will apply to all complaints received by the Association from 1 January 2009.

## Heads of Complaint

The Professional Conduct Panel is responsible for determining whether the ground(s) of the complaint are upheld or not, according to the standards of civil law. If upheld, the Panel has to consider its decision and make a finding under one or more of the following heads of complaint. The decision about the head must ultimately rest upon consideration of all the circumstances in the case. The information that follows is intended to inform the choice between the three heads of complaint available to the Panel. These are:

1. Professional Misconduct
2. Professional Malpractice
3. Bringing the Profession into Disrepute

### Professional Misconduct

A finding of professional misconduct signifies that the practitioner has contravened the ethical and behavioural standards that should reasonably be expected of a member of this profession. Misconduct is defined as acting in contravention of the written and unwritten guidance of the profession.

A finding of serious professional misconduct is appropriate if the misconduct is of sufficient seriousness to merit a period of suspension of rights of membership and/or the withdrawal of membership of the Association.

### Professional Malpractice

A finding of professional malpractice signifies that the service(s) for which the practitioner is responsible have fallen below the standards that would reasonably be expected of a practitioner exercising reasonable care and skill. Examples of malpractice include, but are not restricted to:

1. Incompetence
2. Negligence
3. Recklessness
4. The provision of inadequate professional services

A finding of serious professional malpractice is appropriate if the malpractice is of sufficient seriousness to merit a period of suspension of rights of membership and/or the withdrawal of membership of the Association.

### Bringing the Profession into Disrepute

A finding of bringing the profession into disrepute signifies that the practitioner has acted in such an infamous or disgraceful way that the public's trust in the profession might reasonably be undermined, or might reasonably be undermined if they were accurately informed about all the circumstances of the case.

A finding under this head must amount to 'disgraceful conduct in a professional respect'. This involves consideration of three elements:

Conduct that is regarded as 'disgraceful' need not amount to moral turpitude or be restricted to acts of serious immorality.

The conduct must have had some connection with a professional role in order to be considered as falling 'in a professional respect'. It ought not to be concerned with matters that can reasonably be viewed as solely personal and private.

Conduct 'in a professional respect' is not confined to the pursuit of the profession in question.

What is not considered to be disgraceful to an ordinary person may be considered to be disgraceful to a professional person.

A finding of bringing the profession into disrepute will result in withdrawal of membership.





## NAEGA Principles of Ethical Practice.



# Principles of Ethical Practice

MAY 2007



 NAEGA

Promoting Adult Guidance on Learning and Work



## NAEGA's vision

NAEGA seeks to promote universally available, high quality, information, advice and guidance services for adults delivered by competent and reflective practitioners.

### Continuous Professional Development (CPD)

*NAEGA expects all members to ensure that their skills and knowledge for delivering the service are relevant, accurate and up to date.*

**Practitioners** should demonstrate their commitment to maintaining skills and knowledge to deliver accurate and effective services by reflecting on practice and engaging in CPD activities to maintain and extend their professional skills and knowledge.

**Organisations** should enable and support practitioners in adhering to the NAEGA Principles of Ethical Practice within the context of their own organisation. Organisations should ensure that staff delivering provision are competent and have access to CPD activities and qualifications as appropriate to develop and maintain competence.

All members of NAEGA will promote NAEGA's vision and operate within the Principles For Ethical Practice outlined below:

#### 1. Client Centered

*Members will ensure that their practice places the user's interests first.*

**Practitioners** will use skills and communications media appropriate to the individual based on their needs, requirements, interests, aspirations and abilities.

**Organisations** will ensure that the requirements of their service users are paramount within the context of their organisation and it's mission.

#### 2. Equality and Diversity

*Members will ensure that their practice promotes equality and diversity.*

**Practitioners** will always demonstrate a commitment to equality of opportunity and diversity and maximising the life-chances of all service users.

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**Organisations'** services should be underpinned by a commitment to diversity and equality of opportunity for all and, wherever possible, to redressing the impact of educational and social disadvantage.

### 3. Impartiality

**Members will ensure that the delivery of information, advice and guidance services is free from bias.**

**Practitioners** will make clear any limitations or boundaries to their professional knowledge or anything in the context in which they operate that may affect impartiality and will refer clients appropriately. Practitioners should provide complete information about the range of options available in order to allow the service user to make an informed decision.

**Organisations** should make clear their stance on impartiality and indicate any constraints, which may limit the range of options they put before service users.

### 4. Confidentiality

**Members will ensure that the service user's confidentiality is respected.**

**Practitioners** should make clear their commitment to confidentiality and inform service users of any limitations to confidentiality at the earliest possible stage.

**Organisations'** services should be delivered with respect for the privacy of individuals, disclosing confidential information only with informed consent, except where there is clear evidence of serious risk to the individual or to the welfare of others.

### 5. Ethical Practice

**Members will ensure that their practice has an ethical base.**

**Practitioners** will always demonstrate professional integrity and high standards of ethical practice.

**Organisations'** services should be underpinned by a commitment to ethical practice and standards and support practitioners' professional integrity.

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# ICG Code of Ethical practice.

## The ICG Code of Ethical Principles

The Institute of Career Guidance, whilst recognising the diversity of backgrounds and work settings of its members, requires all members to adhere to the highest standards of professional behaviour as set out in the seven principles below:



### 1. IMPARTIALITY

Professional judgement must be objective and take precedence over any external pressures or factors that may compromise the impartiality of career guidance offered to clients. When providing career guidance, members must ensure that advice is based solely on the best interests of and potential benefit to the client.

### 2. CONFIDENTIALITY

Members are expected to respect the privacy of individuals, disclosing confidential information only with informed consent, except where there is clear evidence of serious risk to the client or welfare of others.

### 3. DUTY OF CARE – TO CLIENTS, COLLEAGUES, ORGANISATIONS AND SELF

Members have a duty of care and are expected always to act in the best interests of their clients.

Members should develop and maintain professional and supportive working relationships with colleagues both inside and external to their own organisation.

Members must fulfil their obligations and duties to their employer, except where to do so would compromise the best interests of individual clients.

Members have a duty of care to themselves, both in terms of their personal integrity and their personal safety.

### 4. EQUALITY

Members must actively promote equality and work towards the removal of barriers to personal achievement resulting from prejudice, stereotyping and discrimination.

Members should treat clients equally regardless of their gender, age, race, disability, religious beliefs or sexual orientation.

### 5. ACCESSIBILITY

Members must promote access to services in a range of ways that are appropriate and ensure inclusion.

### 6. ACCOUNTABILITY

Members are accountable for their actions and advice to the public and must submit themselves to whatever scrutiny is appropriate to their office.

### 7. CONTINUOUS PROFESSIONAL DEVELOPMENT

Members will maintain their professional competence, knowledge and skills through participation in continuous professional development informed by reflective practice.

## Learning and Skills Improvement Service

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## Learning and Skills Improvement Service

The Learning and Skills Improvement Service (LSIS) is the sector-owned body supporting the development of excellent and sustainable FE provision across the learning and skills sector. Its aim is to accelerate the drive for excellence and, working in partnership with all parts of the sector, build on the sector's own capacity to design, commission and deliver improvement and strategic change.

### Disability equality policy

LSIS is committed to promoting equality for disabled people and we strive to ensure that our communication and learning materials can be made available in accessible formats. Please let us know if you consider yourself disabled and require reasonable adjustments made to support you.